REMARKS

This application has been carefully reviewed in light of the Office Action dated May 26, 2009. Claims 1, 7, 8, 10, 16, 22, 23, 25, 27 and 28 are in the application, of which Claims 1 and 16 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 7, 8, 10, 16, 22, 23 and 25 were rejected under 35 U.S.C. § 103(a) over U.S. Publication No. 2003/0002862 (Rodriguez) in view of U.S. Publication No. 2008/0077960 (Griggs) and further in view of U.S. Publication No. 2004/0083301 (Murase). Reconsideration and withdrawal of the rejections are respectfully requested.

The claims generally concern a receiving apparatus. Upon start up of the receiving apparatus and before the receiving apparatus starts reception of a manipulation by the user for content selection, a time period until content is reproducible is estimated. Further upon start up of the receiving apparatus and before the receiving apparatus starts reception of a manipulation by the user, a content list is generated and displayed.

For example, as discussed in the specification beginning on page 17 in connection with an example embodiment, Figure 5 depicts an activity diagram in which a streaming television receiver is started up. Upon being started up, the receiver performs necessary initialization (in step S501), obtains a content list from a content list provider (in step S502), and prepares to start reception of manipulation by a user (in step S504). In parallel with the above steps S501-S504, concerning each item in the content list, the receiver estimates a time period from selection of a content in the content list until it is

reproducible (in step S506). Based on the estimated time period, each item in the content list is ranked and the ranks are displayed in the content list (in step S510).

By virtue of this arrangement, the automatic process-and-display feature triggered by the start up of the receiver allows the user to obtain the content list and rank information, based on the estimated time, even before a user's manipulation of the receiver.

Referring specifically to the claim language, amended independent Claim 1 is directed to a receiving apparatus. The receiving apparatus includes a reception unit that receives content data and content list data via a network. The content list data includes information including a content name for specifying each of a plurality of receivable content data on the receiving apparatus. The receiving apparatus also includes a content processing unit that processes the content data received by the reception unit to generate video and audio data. A generating unit generates a content list based on the content list data received by the reception unit, for displaying the content name of each of the plurality of receivable content data in a list format. The receiving apparatus also includes an output unit for outputting the content list generated by the generating unit and the video and audio data to a display apparatus. A control unit is constructed to generate rank information based on an estimated time period from a selection of the content in the content list by a user until the content is reproducible. The estimated time period is determined automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user, and provides an estimate of the time period from a selection of the content in the content list by a user until the content is reproducible. The generating unit generates the content list including the rank information of each content data and the content name of each content data, and the display apparatus

displays the content list including the rank information automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

Claim 16 is a method claim, drawn along the lines of apparatus Claim 1.

The applied art is not understood to disclose or suggest the features as set out in independent Claims 1 and 16, and in particular is not seen to disclose or suggest at least (i) determining the estimated time period from a selection of the content in the content list by a user until the content is reproducible, automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user, (ii) generating the content list including the rank information of each content data and the content name of each content data, and (iii) displaying the content list including the rank information automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

Rodriguez discloses a recordable media content purchasing system capable of generating a list of receivable content media names and, upon selection of a content media item, providing an estimated download time for the content media item on a separate screen. See Rodriguez, Figures 21 and 22. However, in the view of the Applicants, Rodriguez is not seen to disclose or suggest at least the features of (i) determining the estimated time period from a selection of the content in the content list by a user until the content is reproducible, automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user, (ii) generating the content list including the rank information of each content data and the content name of each content data, or (iii) displaying the content list including the rank

information automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

As understood by Applicants, Griggs is directed to an electronic program schedule that displays content information for available content data (e.g., 1:00 p.m. - 1:30 p.m. for Show A). See Griggs, Paragraph [0006]; Figure 3. The schedule is preferably updated automatically or periodically based on programs selected from the schedule. See Griggs, Paragraph [0014]. More specifically, the server reviews program availabilities for the designated content providers and can automatically extract program availabilities, preferably as they become available or as program availabilities change. See Griggs, Paragraph [0063]. Alternatively, a user can refresh the account, which instructs the server to recompile program availabilities. See Griggs, Paragraph [0065]. However, Griggs is not seen to disclose or suggest at least the feature of (iii) displaying the content list including the rank information automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

Murase merely discloses a system for delivering audiovisual content to a client terminal, and continuously calculating the time required to reproduce or display a stream. See Murase, Paragraph 65 to 67; Figure 2. However, Murase is not seen to disclose or suggest at least the feature of (i) determining the estimated time period from a selection of the content in the content list by a user until the content is reproducible, automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

Accordingly, the applied art is not seen to disclose or suggest at least (i) determining the estimated time period from a selection of the content in the content list by

a user until the content is reproducible, automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user, (ii) generating the content list including the rank information of each content data and the content name of each content data, and (iii) displaying the content list including the rank information automatically after the receiving apparatus starts up and before the receiving apparatus starts reception of a manipulation for selection by the user.

In light of these deficiencies of the applied art, Applicants submit that independent Claims 1 and 16 are in condition for allowance and respectfully request the same.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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